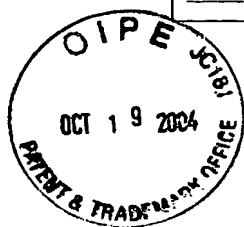


Certification of First Class Mailing  
I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope  
addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450 on October 14, 2004.

Theodore P. Cummings 40,973  
Name of Attorney/Agent Registration No.

\_\_\_\_\_  
Signature of Attorney or Agent

AP/1761/\$



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/905,540  
Applicant(s) : Michael Dean McCutchan  
Filed : July 13, 2001  
Title : A KIT CONTAINING A SNACK FOOD AND DIP-  
CONDIMENT  
TC/A.U. : 1761  
Examiner : Drew E. Becker  
Conf. No. : 3927  
Docket No. : 8169M  
Customer No. : 27752

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY REMARKS**

This is responsive to the Notice of Non-Compliant Amendment dated August 10, 2004, which set a thirty-day period for response. Accordingly, Applicants have amended the claims to comply with revised 37 CFR § 1.121, effective dated July 30, 2003. Please consider the following amendment and remarks.

**Amendments to the Claims** are reflected in the listing of claims that begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.